

REMARKS

Claims 1-10 are all the claims pending in the application.

Claim rejections -- 35 U.S.C. § 102

Claims 1-10 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Sakamoto, which is previously of record. Applicant respectfully traverses this rejection.

In response to Applicant's arguments in the June 12, 2006 Amendment, the Examiner maintains that the feature of a selection means for selecting one of the encoding moving picture and the re-encoded data for each picture frame is met by Sakamoto at col. 8, lines 30-34 and col. 7, lines 29-34 and claims 7 and 22. However, Applicant respectfully disagrees.

Applicant notes that while Sakamoto describes switching between the two types of coded video data (see col. 7, lines 44-51), Sakamoto does not disclose or otherwise teach that selecting between the two coded data *for each picture frame*, as set forth by the claim. In order to anticipate a claim, the reference must disclose the identical invention in as complete detail as is contained in the claim, and that the elements must be arranged as required by the claim. See MPEP § 2131. Applicant therefore respectfully submits that claim 1 is patentable over Sakamoto for this reason.

The Examiner, at page 2 of the Final Office Action, notes that the USPTO considers "one of" language to be anticipated by any reference containing one of the corresponding elements. However, this reading of the claim language in the instant case would eviscerate the meaning of the claim, which sets forth that the selection is made *for each picture frame*. However, in order to advance prosecution, Applicant has amended claim 1 in order to make this feature more clear.

Claim 5 recites features similar to claim 1, and therefore claim 5 is patentable over Sakamoto for the same reasons. Claims 2-4 and 6-8 are patentable based on their dependencies.

Claims 2 and 6 recite the feature of measuring the picture quality of re-encoded picture frames. The Examiner maintains that this feature is met by Sakamoto at col. 8, lines 10-26 and col. 11, line 56 to col. 12, line 3. However, at the cited portion, Sakamoto merely describes a parameter indicating that the bit rate of the coded data, and that the overall image quality of the fast playback encoded data is inferior. These portions do not disclose a means for measuring picture quality or measuring of picture quality, as recited by claims 2 and 6. Therefore, claims 2 and 6 are patentable over Sakamoto for this additional reason.

Moreover, claims 2 and 6 each recite the feature of a means for re-encoding the decoded data by using inter-frame prediction in order to generate inter-frame re-encoded data. The Examiner maintains that this feature is taught by Sakamoto at col. 7, lines 21-34; Fig. 7 and Fig. 8; and claim 1. However, Applicant respectfully disagrees with the Examiner's position. At the cited portions of Sakamoto, Sakamoto only discloses that the pictures after the re-encoded picture are encoded into intra-frame pictures, not encoded into inter-frame pictures, as set forth by the claim. Thus, Applicant respectfully submits that claims 2 and 6 are patentable over Sakamoto for this additional reason.

Claims 3 and 7 recite the feature of calculating the number of frames corresponding to the intra-frame re-encoded data. The Examiner maintains this feature is met by Sakamoto at col. 8, lines 1-26. However, at the cited portion of Sakamoto, Sakamoto only describes sequentially decoding each video frame in every six frames of normal playback coded video data, which is

the data encoded by the first coding scheme. Thus, Sakamoto does not disclose calculating the number of frames of the re-encoded data, as recited by the claims. Claims 3 and 7 are therefore patentable for these additional reasons.

Moreover, claims 3 and 7 each recite the feature of a means for re-encoding the decoded data by using inter-frame prediction to generate an inter-frame re-encoded data. The Examiner maintains that this feature is disclosed by Sakamoto at col. 8, lines 43-63. However, Applicant respectfully disagrees with the Examiner's position. At the cited portions of Sakamoto, Sakamoto only discloses that the pictures after skipping K frames from the re-encoded picture are converted to intra-frame pictures, not encoded into inter-frame pictures, as set forth by the claim. Thus, Applicant respectfully submits that claims 3 and 7 are patentable over Sakamoto for this additional reason.

Claim 4 recites the feature wherein a part of the frame is encoded into intra-frame re-encoded data, and the parts of a plurality of frames cover the whole frame. This feature is not disclosed by col. 12, lines 4-34 of Sakamoto. Therefore, Applicant respectfully submits that claim 4 is patentable over Sakamoto for this additional reason.

Claims 9 and 10 each recite the feature of a replacing means for replacing a portion of the inputted encoded data by re-encoded data. The Examiner maintains that this feature is met by claims 1 and claims 4 of Sakamoto. However, these claims only describe encoding decoded video data to obtain fast playback coded data. There is therefore no explicit disclosure of replacing a portion of the input data. Moreover, this replacement would not be inherent because the encoded data itself could be used as the fast playback coded data, rather than replacing a

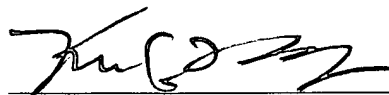
portion of the input data.- Therefore, claims 9 and 10 are patentable over Sakamoto for these reasons.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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